

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

TRACY MCGILL,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-06-226-M
	)	
STATE OF OKLAHOMA, et al.,	)	
	)	
Defendants.	)	

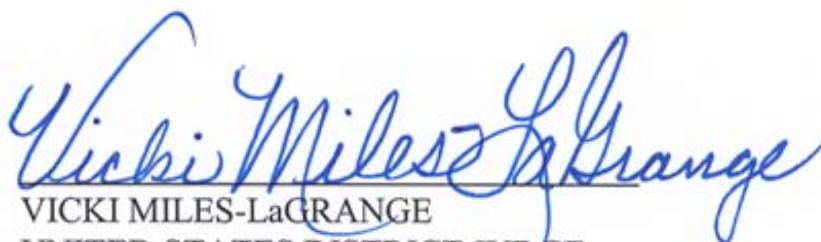
**ORDER**

On April 10, 2006, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging a violation of plaintiff's constitutional rights. The Magistrate Judge recommended that this action be dismissed without prejudice to refiling based upon plaintiff's failure to pay the partial filing fee or to show good cause for such failure. Plaintiff was advised of his right to object to the Report and Recommendation by May 1, 2006. A review of the file reveals plaintiff has filed no objection and has still not paid the partial filing fee.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on April 10, 2006; and
- (2) DISMISSES this action without prejudice to refiling based upon plaintiff's failure to pay the partial filing fee or to show good cause for such failure.

**IT IS SO ORDERED this 9th day of May, 2006.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE